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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:23-md-03084-CRB (LJC)

**DEFENDANTS' ADMINISTRATIVE
MOTION TO SEAL PERSONAL
IDENTIFYING INFORMATION AND
INFORMATION DESIGNATED AS
CONFIDENTIAL PURSUANT TO ECF 176
CONTAINED IN DEFENDANTS'
REPLY IN SUPPORT OF MOTION TO
DISMISS CASES FOR FAILURE TO
COMPLY WITH PTO 31 AND SHOW-
CAUSE ORDERS**

Judge: Hon. Charles R. Breyer
Courtroom: 6 – 17th Floor

DEFENDANTS' STATEMENT IN SUPPORT OF SEALING CONFIDENTIAL MATERIALS

Under Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC ("Uber" or "Defendants") hereby move this Court for an order to seal the personal identifying information ("PII") contained in the Reply supporting Uber's Motion to Dismiss Cases for Failure to Comply with PTO 31 and Show-Cause Orders (the "Motion") and certain of its exhibits. The Motion and certain exhibits contain PII and information designated as confidential pursuant to the Protective Order entered in this matter from materials produced by Defendants and Plaintiffs. *See* ECF 176. The Motion and exhibits are attached as Exhibit A, filed with this Administrative Motion.

A party seeking to seal a judicial record bears the burden of establishing that "compelling reasons" support that request. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178–79 (9th Cir. 2006). Specifically, that party must "articulate[] compelling reasons supported by specific factual findings . . . that outweigh the general history of access and the public policies favoring disclosure [of court records], such as the 'public interest in understanding the judicial process.'" *Id.* (quoting *Foltz v. State Farm Mut. Auto. Ins.*, 331 F.3d 1122, 1135 (9th Cir. 2003)). "In turn, the [C]ourt must 'conscientiously balance[] the competing interests' of the public and the party who seeks to keep certain judicial records secret." *Id.* at 1179 (quoting *Foltz*, 331 F.3d at 1135).

Assessment of the public and private interests implicated here warrant sealing this information. Local Rule 79-5(c)(1)(i). Uber in particular seeks to seal PII, Defendant Fact Sheets and excerpts of responses provided within certain Plaintiff Fact Sheets produced by counsel via MDL Centrality, which are considered confidential and subject to the Protective Order entered in this matter. *See* ECF 176. Courts have found that such information "is sealable under the compelling reasons standard." *See, e.g., Kumandan v. Google LLC*, No. 19-cv-04286-BLF, 2022 WL 17971633, at *1 (N.D. Cal. Nov. 17, 2022). That is because such information is "not relevant to any of the issues in this litigation, nor would the public have any real interest in its disclosure." *O'Connor v. Uber Techs., Inc.*, No. C-13-3826 EMC, 2015 WL 355496, at *3 (N.D. Cal. Jan. 27, 2015). On the other hand, the public disclosure of the PII and confidential Defendant and Plaintiff Fact Sheet information contained within the Motion and exhibits could cause significant and avoidable harm or embarrassment to the affected individuals. Moreover, no less restrictive

alternative to sealing the PII and confidential Defendant and Plaintiff Fact Sheet information within the Motion and exhibits is sufficient. Local Rule 79-5(c)(1)(iii). Uber’s request is narrowly tailored to seal only the PII and confidential Defendant and Plaintiff Fact Sheet information while ensuring that the public retains access to the rest of the Motion and related documents. This Court may therefore “appropriately balance[]” the privacy interests of the affected individuals with the public’s right to access by allowing redaction of all such PII and confidential Defendant and Plaintiff Fact Sheet information in the Motion, as well as redacting the PII in Exhibits 3-5, which are ride receipts containing PII, and sealing Exhibit 6, which contains confidential Defendant Fact Sheets and excerpts of Plaintiff Fact Sheet responses. *O’Connor*, 2015 WL 355496, at *2.

CONCLUSION

For the foregoing reasons, Uber respectfully requests this Court grant this Administrative Motion to seal PII and confidential Defendant and Plaintiff Fact Sheet information and seal Exhibits 3-6 to the Motion, which consist of PII and materials marked as confidential under the Protective Order.

DATED: December 12, 2025

Respectfully submitted,

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